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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 07, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHN MICHAEL DESMARAIS,

Plaintiff,

v.

WASHINGTON STATE DOC,
KLICKITAT COUNTY SHERIFF'S
OFFICE, GILLAIM, and DAVID
QUESNAL,

Defendants.

No: 1:24-CV-3011-TOR

ORDER DISMISSING ACTION
FOR FAILURE TO COMPLY
WITH FILING FEE/*IN FORMA
PAUPERIS* REQUIREMENTS

By Order filed March 26, 2024, the Court directed Plaintiff John Michael Desmarais to provide a new application to proceed *in forma pauperis* upon his notification that he was released from incarceration at the Yakima County Jail to a residential address in Yakima, Washington. ECF No. 7. Plaintiff had presented a *pro se* civil rights complaint and Defendants were not served.

In the alternative, the Court instructed Plaintiff to pay the \$405.00 fee (\$350.00 filing fee, plus \$55.00 administrative fee) to commence this action under

ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING FEE/*IN FORMA PAUPERIS* REQUIREMENTS -- 1

1 28 U.S.C. § 1914. ECF No. 7 at 2. Plaintiff did not comply with the Court's
2 directive and has filed nothing further in this action. Based on these actions, it
3 appears that Plaintiff has abandoned this litigation.

4 Therefore, for the reasons set forth above and in the Court's prior Order, **IT**
5 **IS ORDERED** that this action is **DISMISSED** for failure to comply with the filing
6 fee and *in forma pauperis* requirements of 28 U.S.C. §§ 1914 and 1915.

7 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
8 enter judgment, provide copies to Plaintiff at his last known address, and **CLOSE**
9 the file. The Court certifies that any appeal of this dismissal would not be taken in
10 good faith and would lack an arguable basis in law or fact.

11 **DATED** this 7th day of May 2024.



12 A handwritten signature in blue ink that reads "Thomas O. Rice".
13 THOMAS O. RICE
United States District Judge
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